

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

District of New MexicoUNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

United States of America

v.

APR 30 2019

Case No.

19-MJ-1109

TRUDY MARTINEZ, year of birth 1991

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 04/26/2019 in the county of McKinley in the  
District of New Mexico, the defendant(s) violated:

## Code Section

## Offense Description

Chapter 18 Section 1111

Murder

Chapter 18 Section 924(c)

Use of a firearm in a crime of violence

Chapter 18 Section 1153

Crimes Occurring in Indian Country

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.Jeffrey T. Wright  
Complainant's signature

Jeffrey T. Wright, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

April 30, 2019

B. Paul Briones  
Judge's signatureCity and state: Farmington, New Mexico

B. Paul Briones, US Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA

VS

Trudy Martinez  
year of birth 1991

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)  
Case No. 19-MJ-1109

AFFIDAVIT IN SUPPORT OF  
ARREST WARRANT

AFFIDAVIT

I, the undersigned, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and has been employed in that capacity since August 2008. Your affiant is currently assigned to the Albuquerque Division of the FBI, Farmington Resident Agency, and has primary investigative responsibility for crimes occurring within Indian Country; including violent crimes such as homicide, robbery, arson, aggravated assault, and sexual assault. The information set forth in this affidavit has been derived from an investigation conducted by your affiant and/or communicated to him by other sworn Law Enforcement Officers.

2. Your Affiant is aware that, on April 26, 2019, Navajo Nation Police officers were called to a rural address approximately 3.66 miles southwest of mile marker 15 on Highway 491 in Twin Lakes, New Mexico (NM), which is within the exterior boundaries of the Navajo Nation, in Indian Country, in response to a shooting.

3. Thirty six year old C.M., year of birth 1983, who is an enrolled member of the Navajo Nation, hereinafter referred to as Jane DOE, was found to have one gunshot to the abdomen. DOE was transported to Gallup Indian Medical Center in Gallup, NM, where she later succumbed to her injuries. DOE's body was subsequently processed and photographed by a

Field Investigator from the New Mexico Office of the Medical Investigator. According to witnesses, twenty-eight-year-old Trudy MARTINEZ, year of birth 1991, an enrolled member of the Navajo Nation, hereinafter referred to as MARTINEZ, shot DOE with an AR-15 style rifle and fled the scene with MARTINEZ's three small children. At the time of the drafting of this affidavit, MARTINEZ has not been located by law enforcement.

4. On April 26, 2019, investigators conducted a crime scene investigation at DOE's residence. Investigators located a .223 shell case. Investigators also located an area of the floor where a bullet had passed through, but were unable to locate the round.

5. On April 26, 2019, investigators conducted a search of the open field surrounding the residence where the incident occurred. A .223 caliber rifle was located and collected. Witnesses advised that MARTINEZ had been in possession of a .223 caliber rifle in the weeks preceding the incident.

6. On April 26, 2019, investigators interviewed C.M., year of birth 2004, hereinafter referred to as C.M.. C.M. is DOE's daughter and the niece of MARTINEZ. C.M. advised that when she came home from school on Friday, April 26, 2019, she observed MARTINEZ outside of the residence cleaning up the yard. MARTINEZ then went into the home. She was upset and complained that no one was helping her clean. DOE was inside watching over her children. C.M. observed MARTINEZ enter the home and push DOE. The two began to have a physical altercation. MARTINEZ yelled at DOE and DOE's children to leave the house.

7. C.M. then observed MARTINEZ walk outside of the residence and retrieve a rifle from a pick-up truck that was parked nearby. MARTINEZ subsequently brought the rifle into the residence and loaded the rifle. DOE attempted to take the rifle away from MARTINEZ. As DOE

approached MARTINEZ at the entrance to the Hogan, MARTINEZ pointed the rifle at DOE and fired the weapon two times. The first round missed DOE, but the second round struck DOE in the abdomen, after which DOE fell to the floor. MARTINEZ then pointed the rifle at C.M. and yelled something at her.

8. C.M. left her mother in the house and ran next door to her grandmother's residence. C.M.'s aunt E.T., year of birth 1969, hereinafter referred to as E.T., traveled back to DOE's residence to assist with caring for DOE. E.T. and other family members loaded DOE into a pick-up truck and transported DOE to meet emergency medical personnel.

9. C.M. described the rifle as an AR-15 style rifle similar to the ones that police officers were carrying around the crime scene at the time that C.M. was interviewed. C.M. advised that MARTINEZ knows how to use the rifle because MARTINEZ often shoots the rifle down the hill in the back of the residence.

10. On April 26, 2019, investigators interviewed E.T. On the same evening of the interview, E.T. was at home working on jewelry with her husband. At some point in the evening, E.T. was summoned by DOE's children to DOE's residence. One of the children ran to her and stated "Trudy shot my mom." The children explained that their mother (DOE) was laying on the floor in her house. E.T. did not hear a gunshot, but noted that music was playing while she worked on the jewelry.

11. E.T. went over to the neighboring home, occupied by DOE. E.T. found DOE sitting against a bed, awake and talking. DOE stated "Trudy shot me." DOE then said that she needed to go to the hospital.

12. MARTINEZ was in the attached home shouting "what the fuck are you looking at?!" She then stated to E.T., "she was beating me up." MARTINEZ explained to E.T. the altercation originated with the trash.

13. E.T. instructed other family members to get the truck. Family members drove the truck to DOE's residence. They subsequently loaded DOE in the truck and drove to the nearby gas station and store in Tolikai to meet the ambulance. They then drove to the Gallup Indian Medical Center after transferring DOE into the ambulance.

14. E.T. noted that approximately two weeks prior to the shooting, MARTINEZ was outside of her home shooting a gun.

15. On April 26, 2019, investigators interviewed G.M., year of birth 1975, hereinafter referred to as G.M. G.M. is Martinez's brother. G.M. advised that he had received a phone call from MARTINEZ shortly after the incident. MARTINEZ told G.M. that she had "done something wrong." G.M. asked MARTINEZ what it was that she had done. MARTINEZ responded that she had "shot Corn." "Corn" is a nickname used by DOE.

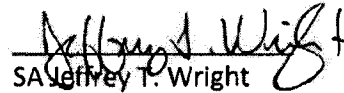
16. On April 26, 2019, investigators interviewed K.M., year of birth 1996, hereinafter referred to as K.M. K.M. is MARTINEZ's niece. K.M. advised that MARTINEZ had spoken to her multiple times about owning the AR-15 rifle. K.M. did not know where MARTINEZ obtained the rifle. K.M. advised that MARTINEZ had previously posted a photograph of herself holding the rifle on Facebook.

17. In view of the above facts, your affiant submits that there is probable cause to believe that Trudy MARTINEZ, an enrolled member of the Navajo Nation, did unlawfully kill Jane DOE, an enrolled member of the Navajo Nation, by shooting her in the abdomen, with malice

aforethought, and that, in addition, MARTINEZ used a firearm to facilitate the murder, in Twin Lakes, NM, within the exterior boundaries of the Navajo Nation, in Indian Country, in violation of Title 18, United States Code, section 1111, and 924(c), in Indian Country in violation of Title 18, United States Code, section 1153.

18. Kyle T. Nayback, Supervisory Assistant United States Attorney, reviewed this affidavit for legal sufficiency.

Respectfully Submitted,



SA Jeffrey T. Wright  
Federal Bureau of Investigation  
Albuquerque Division  
Farmington Resident Agency

Submitted and sworn to  
before me this 30<sup>th</sup> day  
of April 2019.

  
UNITED STATES MAGISTRATE JUDGE